

Notice of Allowability**Application No.**

09/845,415

Applicant(s)

GUNewardena ET AL.

Examiner

THU-THAO HAVAN

Art Unit

3695

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 8/15/06.
2. ☒ The allowed claim(s) is/are 5-13, 18-28, 33-41, 46-56, 61-69 and 74-105.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
(a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
(b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 10/19/06
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20090423
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

Drawings

The Examiner accepts the drawings filed on August 15, 2006.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Barry Schindler on October 25, 2006.

The application has been amended as follows:

Please amend claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74, and 80 as follows:

Re claims **5, 10, 18, and 24**, please insert "displaying at least one transaction based on the ranking of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction" after the original limitation of "*ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction.*"

Re claims **33, 38, 46, 52, 61, 66, 74, and 80**, please insert "means for displaying at least one transaction based on the ranking of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction" after the original limitation of "*means for ranking each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction.*"

ADDITIONAL EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Matthew Tropper on February 27, 2009.

The application has been amended as follows:

Please amend claims 5, 10, 18, and 24 as follows:

Re claims **5, 10, 18, and 24**, please insert "A method implementing by a programmed computer system" *before* the original limitation of "*for ranking relative risk of a plurality of transactions, wherein each of the transactions has associated therewith a plurality of variables, comprising:*."

please insert ",with the computer system," *after* the original limitation of "*a value to each of the variable associated with each of the transactions;*"

please insert ",with the computer system," *after* the original limitation of "*the value assigned to each of the variables on a transaction by a transaction basis to produce an aggregate risk level for each transaction;*"

please insert ",with the computer system," *after* the original limitation of "*each of the transactions relative to one another based upon the aggregate risk level corresponding to each transaction;*."

Please amend claims **33, 38, and 46** as follows:

Re claims 33, 38, and 46, please delete a software program and replace those words with "A computer readable medium having instructions stored thereon, the instructions being for ranking relative risk of a plurality of transactions, wherein each of

the transactions has associated therewith a plurality of variables, the instructions, when executed, causing a computer to perform the steps of:"

Re: claims 33, 38 and 46, please delete the words "means for" from each of the claim elements and wherein clauses.

Allowable Subject Matter

Claims 5-13, 18-28, 33-41, 46-56, 61-69, and 74-105 are allowed.

The following is an examiner's statement of reasons for allowance: The present invention generally discloses a method, software program, and system for ranking relative risk of a plurality of transactions. The prior arts of record include the teaching of Bettis et al. (US 7,016,872). Bettis teaches the performance score that used to produce a ranked list of investors in a particular industry, as well as with investors in different industries. He discloses all insiders to be evaluated are ranked based on the returns that are observed after their decisions for buying and selling activity (a decision is a cluster of buying, selling or other type of transaction). All insiders are given a performance score for: Buying relative to the Insider Universe, Selling relative to the Insider Universe, Buying relative to the Insider's Respective Industry and Selling relative to the Insider's Respective Industry. However, the prior arts of record fail to teach, singly or in combination, wherein each variable has associated therewith an operational tolerance and the normalized risk factor value for each variable is calculated using the formula $RF = \xi * (e \times x / \beta - 1)$ where RF= the normalized risk factor value, $\xi = 0.5819767069$, $e = 2.718182818$, x = the raw value of the variable, and β = the

operational tolerance of the variable. Furthermore, the prior arts of record fail to teach, singly or in combination, the formulas in claims 5, 10, 18, 24, 33, 38, 46, 52, 61, 66, 74, and 80.

The examiner agrees with the applicants' response presented in the amendment of August 15, 2006 and the additional amended limitations as discussed on October 25, 2006. Thus, the Examiner has withdrawn the rejection under 35 USC 102 over Bettis. The prior arts of records taken singly or in combination fail to teach or fairly suggest the claimed invention. Therefore, the examiner favors the allowance of claims 5-13, 18-28, 33-41, 46-56, 61-69, and 74-105.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thu Thao Havan whose telephone number is (571) 272-8111. The examiner can normally be reached on Monday-Friday from 6am-2pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Kyle can be reached on (571) 272-6746. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct-uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at (866) 217-9197 (toll-free).

/Thu Thao Havan/
Primary Examiner, Art Unit 3695